



Telephone: +1 212-915-8072

Website: [wtwco.com](http://wtwco.com)

E-mail: [patricia.oconnell@wtwco.com](mailto:patricia.oconnell@wtwco.com)

August 4, 2023

**U.S. District Clerk's Office  
Attn: Finance  
501 West Fifth Street, Suite 1100  
Austin, Texas 78701**

**RE: Bond Number: 6213023298  
Obligee: United States District Court, Western District of Texas, Austin Division  
Description: Appeal Bond - UNITED STATES DISTRICT COURT WESTERN DISTRICT OF  
TEXAS AUSTIN DIVISION. Case # 1:17-cv-00365-DAE**

Attached is the completed document per your request. This was issued based upon the information you provided to our office and we urge you to check all of the information for accuracy (i.e. Power of Attorney, signatures, dates, amounts, description, etc.).

Please verify that the form attached is the form required and complete the execution with the proper signature(s) and seal, if applicable.

If a premium is charged, our invoice will follow under a separate cover. Please note the premium payment for this bond is due upon receipt.

Thank you for the opportunity to service your surety needs. Should you have any questions, please do not hesitate to contact any member of your Willis Towers Watson Surety Team.

Sincerely,

Patricia O'Connell

Bond No. 6213023298

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UMG RECORDINGS, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	No. 1:17-cv-00365-DAE
GRANDE COMMUNICATIONS	)	
NETWORKS LLC,	)	
	)	
Defendant.	)	

**DEFENDANT GRANDE COMMUNICATIONS  
NETWORKS LLC'S SUPERSEDEAS BOND**

Defendant Grande Communications Networks LLC ("Grande") files this Supersedeas Bond under the authority of Federal Rule of Civil Procedure 62(d), and this Court's Local Rule CV-65.1.

The surety on this bond is United States Fire Insurance Company, a corporation authorized to transact business in the State of Texas and appearing on the Treasury Department's list of certified bond companies, and the surety's address is Crum & Forster, 305 Madison Avenue, Morristown, NJ 07960

**WHEREAS**, in the above-entitled and numbered cause pending in the United States District Court, Western District of Texas, Austin Division, the Honorable David A. Ezra, United States District Judge, signed a Final Judgment (ECF No. 481) on January 30, 2023, in favor of Plaintiffs and against Grande, in the amount of forty-six million, seven hundred sixty-six thousand, two hundred and 00/100 dollars (\$46,766,200.00).

**WHEREAS**, it is from the Final Judgment that Grande will appeal to the United States Court of Appeals for the Fifth Circuit at New Orleans, Louisiana, which court has jurisdiction over appeals from the United States District Courts of the Western District of Texas.

**WHEREAS**, Grande desires to suspend execution on the Final Judgment pending determination of its appeal to the Fifth Circuit Court of Appeals.

**WHEREAS**, the Honorable Dustin M. Howell, United States Magistrate Judge, signed an Order on July 25, 2023 requiring Grande to secure a bond in the amount identified in ECF No. 509 within fourteen (14) days. *See* ECF No. 526.

**NOW THEREFORE, WE** Defendant Grande Communications Networks LLC, as principal, and **United States Fire Insurance Company**, as surety, acknowledge ourselves bound to pay Plaintiffs up to the total bond amount of forty-six million, eight hundred seventy-two thousand, two hundred and fifty dollars, and twenty-three cents (\$46,872,250.23). This bond amount reflects the amount of the Final Judgment, plus the costs identified in ECF No. 509, and is within the underwriting limitation for the surety.

**WE**, Defendant Grande Communications Networks LLC, as principal, and **United States Fire Insurance Company**, as surety, further acknowledge we shall be liable for all damages and costs awarded against Grande up to the total amount of this bond (i) if Grande does not perfect an appeal or the appeal is dismissed and Grande does not perform the trial court's judgment or, (ii) if the judgment of the Fifth Circuit Court of Appeals be against Grande, and Grande fails to perform under that Judgment and fails to pay all such damages as the Court may award against it, provided however, that the aggregate liability of the surety hereunder for any and all claims presented shall not exceed the penal sum of this bond.

**PRINCIPAL:**

**GRANDE COMMUNICATIONS  
NETWORKS LLC**

By: 

Title: EVP-CFO

Printed Name: John D. Feighan Jr.

Date: 8/4/23

**SURETY:**

**United States Fire Insurance Company**

By: 

Title: Attorney-in-Fact

Printed Name: Amanda Pierina D'Angelo

Date: August 4, 2023

Surety's Power of Attorney attached hereto and incorporated herein.

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on August \_\_\_\_, 2023, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/

**POWER OF ATTORNEY  
UNITED STATES FIRE INSURANCE COMPANY  
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

79560

**KNOW ALL MEN BY THESE PRESENTS:** That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

Aimee R. Perondine, Bethany Stevenson, Donna M. Planeta, Joshua Sanford, Samuel E. Begun, Melissa J. Stanton, Nicholas Turecamo, Kathryn Pryor, Michelle Anne McMahon, Alexis R. Apostolidis, Brendan William Fletcher, Cassandra Baez, Jacqueline Rose Susco, Rebecca M. Josephson, Amanda Piccina D'Angelo, Eric Strba, Gentry Stewart, Jennifer Gail Godere

each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties not exceeding: **UNLIMITED**.

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

- (a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;
- (b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

**IN WITNESS WHEREOF**, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 10<sup>th</sup> day of March, 2016.

**UNITED STATES FIRE INSURANCE COMPANY**



\_\_\_\_\_  
Anthony R. Slimowicz, President

State of New Jersey }  
County of Morris }

On this 10<sup>th</sup> day of March 2016, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

**SONIA SCALA**  
**NOTARY PUBLIC OF NEW JERSEY**  
**MY COMMISSION EXPIRES 3/25/2024 No. 2163686**

\_\_\_\_\_  
Sonia Scala

\_\_\_\_\_  
(Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 4th day of August 2023

**UNITED STATES FIRE INSURANCE COMPANY**



\_\_\_\_\_  
Peter M. Quinn, Senior Vice President



UNITED STATES FIRE INSURANCE COMPANY  
1209 ORANGE STREET, WILMINGTON, DELAWARE 19801

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT DECEMBER 31, 2022

ASSETS	
Bonds (Amortized Value).....	1,905,252,232
Preferred Stocks (Market Value).....	114,529,067
Common Stocks (Market Value).....	1,762,084,603
Mortgage Loans (Market Value).....	796,032,009
Cash, Cash Equivalents, and Short Term Investments.....	626,020,353
Derivatives.....	10,695,142
Other Invested Assets.....	337,125,033
Investment Income Due and Accrued.....	19,572,352
Premiums and Considerations.....	340,327,513
Amounts Recoverable from Reinsurers.....	61,688,599
Funds Held by or Deposited with Reinsured Companies.....	70,688,033
Net Deferred Tax Asset.....	140,619,760
Electronic Data Processing Equipment.....	1,507,891
Receivables from Parent, Subsidiaries and Affiliates.....	158,857,542
Other Assets.....	145,928,507
<b>TOTAL ASSETS.....</b>	<b>\$ 6,490,928,636</b>

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net of Reinsurance Ceded and Incurred But Not Reported Losses).....	2,212,036,852
Reinsurance Payable on Paid Losses and Loss Adjustment Expenses.....	68,359,436
Loss Adjustment Expenses.....	374,380,070
Commissions Payable, Contingent Commissions and Other Similar Charges.....	10,899,929
Other Expenses (Excluding Taxes, Licenses and Fees).....	95,863,911
Taxes, Licenses and Fees (Excluding Federal Income Taxes).....	30,559,093
Current Federal and Foreign Income Taxes.....	197,142,687
Unearned Premiums.....	999,534,655
Advance Premium.....	12,896,716
Ceded Reinsurance Premiums Payable.....	99,545,135
Funds Held by Company under Reinsurance Treaties.....	42,360,469
Amounts Withheld by Company for Account of Others.....	133,940,889
Provision for Reinsurance.....	2,638,135
Payable to Parent, Subsidiaries and Affiliates.....	91,545,650
Other Liabilities.....	73,407,186
<b>TOTAL LIABILITIES.....</b>	<b>\$ 4,445,110,813</b>
Common Capital Stock.....	18,780,000
Gross Paid In and Contributed Surplus.....	1,502,074,940
Unassigned Funds (Surplus).....	524,962,883
Surplus as Regards Policyholders.....	2,045,817,823
<b>TOTAL LIABILITIES, SURPLUS &amp; OTHER FUNDS.....</b>	<b>\$ 6,490,928,636</b>

I, Carmine Scaglione, Senior Vice President and Controller of UNITED STATES FIRE INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2022, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of Delaware.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 23rd day of March, 2023.  
UNITED STATES FIRE INSURANCE COMPANY



**CRUM & FORSTER'**

## **TEXAS COMPLAINT NOTICE AVISO DE QUEJA DE TEXAS**

### **IMPORTANT NOTICE**

To obtain Information or make a complaint:

You may call Crum & Forster's toll-free number for information or to make a complaint at:

**1-888-890-1500**

You may write to Crum & Forster at:

Crum & Forster  
305 Madison Avenue  
Morristown, NJ 07962

Web: [www.cfins.com](http://www.cfins.com)  
E-mail: [info@cfins.com](mailto:info@cfins.com)

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

You may write the Texas Department of Insurance:

PO Box 149104  
Austin, TX 78714-9104  
Fax: (512) 490-1007

Web: [www.tdi.texas.gov](http://www.tdi.texas.gov)  
E-mail: [ConsumerProtection@tdi.tx.gov](mailto:ConsumerProtection@tdi.tx.gov)

### **PREMIUM OR CLAIM DISPUTES:**

Should you have a dispute concerning your premium or about a claim you should contact the agent first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**ATTACH THIS NOTICE TO YOUR POLICY:** This notice is for information only and does not become a part or condition of the attached document.

### **AVISO IMPORTANTE**

Para obtener información o para presentar una queja:

Usted puede llamar al número de teléfono gratuito de Crum & Forster's para obtener información o para presentar una queja al:

**1-888-890-1500**

Usted también puede escribir a Crum & Forster:

Crum & Forster  
305 Madison Avenue  
Morristown, NJ 07962

Sitio web: [www.cfins.com](http://www.cfins.com)  
E-mail: [info@cfins.com](mailto:info@cfins.com)

Usted puede comunicarse con el Departamento de Seguros de Texas para obtener información sobre compañías, coberturas, derechos, o quejas al:

**1-800-252-3439**

Usted puede escribir al Departamento de Seguros de Texas a:

P. O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 490-1007

Sitio web: [www.tdi.texas.gov](http://www.tdi.texas.gov)  
E-mail: [ConsumerProtection@tdi.tx.gov](mailto:ConsumerProtection@tdi.tx.gov)

### **DISPUTAS POR PRIMAS DE SEGUROS O RECLAMACIONES:**

Si tiene una disputa relacionada con su prima de seguro o con una reclamación, usted debe comunicarse con el agente primero. Si la disputa no es resuelta, usted puede comunicarse con el Departamento de Seguros de Texas.

**ADJUNTE ESTE AVISO A SU PÓLIZA:** Este aviso es solamente para propósitos informativos y no se convierte en parte o en condición del documento adjunto.